

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA *et al. ex rel.*  
ADAM HART,

Plaintiffs,

v.

MCKESSON CORPORATION *et al.*,

Defendants.

15 Civ. 0903 (RA)

**ORDER**

The United States of America having declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B) with respect to the claims raised in the complaint filed by relator Adam Hart (“Relator”), and the States of California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Rhode Island, Tennessee, Texas, Virginia, Washington, Wisconsin, and the District of Columbia (together, the “Plaintiff States”), having also declined to intervene pursuant to their respective false claims acts or analogous statutes with respect to the claims raised in the above-captioned *qui tam* action;

**IT IS HEREBY ORDERED THAT:**

1. The Relator’s complaint shall be unsealed thirty days after entry of this Order and, in the event that the Relator has not moved to dismiss the action, service upon the defendants by the Relator is authorized as of that date. If the Relator voluntarily dismisses the complaint pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure within this thirty-day period,

he may seek to modify this Order with the consent of the United States and the Plaintiff States or by motion on notice to the United States and the Plaintiff States.

2. All documents filed in this action prior to the entry of this Order shall remain under seal and not be made public, except for, thirty days after entry of this Order, Relator's complaint, this Order, and the Government's Notice of Decision to Decline Intervention (the "Government's Notice of Decision"). The Relator will serve upon the defendants this Order and the Government's Notice of Decision only after service of the complaint.

3. The seal shall be lifted as to all other matters occurring in this action after the date of this Order.

4. The parties shall serve all pleadings, motions, and notices of appeal filed in this matter, including supporting memoranda, upon the United States and the Plaintiff States. The United States and the Plaintiff States may order any transcripts of depositions. The United States and the Plaintiff States may seek to intervene with respect to the allegations in the Relator's complaint, for good cause, at any time or seek dismissal of this action..

5. All orders of this Court in this matter shall be sent to the United States and the Plaintiff States by the Relator.

6. Should the Relator or the defendants propose that the complaint or any of its allegations be dismissed, settled, or otherwise discontinued, or that any of the defendants be dismissed from the case, the party or parties proposing such relief must solicit the written consent of the United States and the Plaintiff States before applying for Court approval.

IT IS HEREBY FURTHER ORDERED, WITH RESPECT TO THE CLAIMS ASSERTED BY THE RELATOR ON BEHALF OF THE STATE OF MARYLAND, THAT:

7. All claims asserted on behalf of the State of Maryland are hereby DISMISSED WITHOUT PREJUDICE.

Dated: March 13, 2020

SO ORDERED:



HONORABLE RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE